

**GLASTONBURY TOWN COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, JUNE 9, 2015**

The Glastonbury Town Council with Town Manager, Richard J. Johnson, in attendance, held a Final Budget Hearing and Regular Meeting at 7:00 p.m. in Council Chambers of the Town Hall located at 2155 Main Street, Glastonbury, Connecticut.

**1. Roll Call**

***Council Members***

Dr. Stewart Beckett III, Chairman *{excused}*  
Mr. Whit C. Osgood, Vice Chairman  
Mrs. Jill Barry  
Ms. Karen Boisvert  
Mr. Lawrence J. Byar  
Mr. Kurt P. Cavanaugh  
Mr. William T. Finn  
Mr. Thomas P. Gullotta  
Mrs. Cara (Tonucci) Keefe

**a) Pledge of Allegiance**

***Led by Vice Chairman Osgood***

**2. Public Comment.**

***Ms. Robin Clarke of 24 Howe Road*** said she had sent a letter to the Siting Council and spoke to the lack of transparency regarding the fuel cell. She said that as a result, they are faced with a large and unattractive facility with new technology that they have little or no information on the sound generation of the safety. She said that the residents of Glastonbury had no way to know of the request for a modification or that they could submit testimony and UIL showed up and started digging. She didn't understand how they reached the conclusion that there were no environmental concerns. She questioned how they could mitigate against the noise and protect from a colorless and odorless gas that is combustible. She expressed concern for property values and said that it doesn't belong in a residential area. She questioned why there was no public input saying it felt like a stealth project and needs to be stopped.

***Mr. Ron Howard of 186 Stanley Drive*** noted he was the last known member of the group who worked to develop the Buckingham Center and said he was so upset and disappointed by the fuel cell project. He added that he can't believe the Town Council and the whole town didn't fight tooth and nail against the project.

**Ms. Diana Neff of 235 Stanley Drive** said that the neighbors are angry and frustrated by the fuel cell project particularly finding out that the project began 6 1/2 years ago. She said that the neighbors learned about it in a small article noting the Council had voted down a request for a tax abatement. She questioned if the Fire Department was prepared to address emergencies at the facility and how the water use would be handled during a dry summer. She expressed the concern for the quality of life with the noise and the drop in property values. She added that landscaping won't mitigate the noise and unattractiveness. She indicated that she felt the Council knew about the project but wasn't forthcoming let alone speaking for the neighbors in the area.

**Ms. Noreen Cullen of 30 Delmar Road** said she was taken back by the way the fuel cell project was pushed onto the neighbors without permission or input. She told a story about the town of Salem allowing a salt shed from the State and then they tried to push a nuclear dump on them. She said that it is a lesson and that they have to be vocal and push back so they don't become more vulnerable to undesirable state projects.

**Ms. Sarafina Modugno of 1838 Chalker Hill** said she was dismayed and shocked by the fuel cell project and is concerned about noise. She said that it doesn't belong and is unsightly. She said she was disheartened the Siting Council would approve an increased height on the exhaust stack. She continued saying that the company has no interest in the neighbors or their concerns demonstrated by the representative leaving the meeting prior to public question and comment. She noted that the construction team worked during blizzard conditions, over weekends and long hours to push this project forward and called the offer of landscaping insulting. She said that the company has attorneys pushing their agenda but the neighbors have the Town Council. She expressed concern about what would happen when the technology was outdated and sought answers on how to fix what's broken in the process to ensure it never happens again.

**3. Special Reports.**

*None*

**4. Old Business.**

**(a) Action on Riverfront Front – Phase II remediation \$1.5 million appropriation and transfer (refer to Board of Finance; set public hearing).**

Mr. Johnson reviewed his memo to the Council dated June 5, 2015, noting that the fix requires two actions, riprap at the toe of the slope for resistance and keeping weight off the top. He said that they have a series of proposals from vendors and the first step is to introduce the funding involving the transfer from the undesignated fund balance and scheduling of a public hearing. Mr. Gullotta asked if the permissions had been received for the permitting. Mr. Johnson said that they have received approval from the CTDEP and the Army Corps of Engineers have asked for a mitigation plan but they aren't anticipating an issue with the formal approval. Mr. Byar supported the action but asked for an executive summary of the vendor proposals, a semi-detailed budget from the vendor of choice and with this knowledge in hand, have a site

Mr. Cavanaugh asked about the funding process. Mr. Johnson went over the bond resolution wording saying that with the grant fully allocated, it is not available as an alternative to the general fund. Mr. Finn wanted to be sure the riprap material was available to the town. Mr. Johnson emphasized that it was not a competitive bid but a request for proposal which allowed them to consider experience and follow-up on the proposals. Ms. Boisvert expressed concern about safety and asked about events planned before this project is accomplished. Mr. Johnson said that they review everything frequently and while not booking new events, they feel comfortable with allowing some of the existing bookings. Mr. Gullotta asked questions about the location of the issues which Mr. Johnson pointed out on the map saying that north of the boathouse, the land is slipping in a southwest direction. Mr. Byar asked how many events were scheduled between now and the installation of the riprap. Mr. Johnson thought there were about two or three in each the day and evening. Vice Chairman Osgood noted that they are very fortunate to have a significant undesignated fund balance.

**Motion By:** Mr. Gullotta **Seconded By:** Mr. Cavanaugh  
BE IT RESOLVED, that the Glastonbury Town Council hereby adds to the agenda a discussion of the Chalker Hill Fuel Cell.  
**Result:** Motion passes unanimously {8-0-0}.

Mr. Gullotta noted the Town Manager's letter expressing a collective disappointment in the fuel cell facility. Mr. Johnson explained his letter seeking information about the noise and mitigation, landscape plan and coloration of the unit itself all of which were granted. He noted that the suggestion that a penalty be paid was not supported by the Siting Council as they felt it was outside their authority. Mr. Gullotta appreciated the diplomacy of Mr. Johnson, criticizing the movement toward regionalization where towns have no input or choice in issues such as this. He added that the Town Council only learned about the potential for this project when they sought tax abatement.

Ms. Boisvert added that during that discussion, she specifically asked about noise. Mr. Cavanaugh stated that we have been had, the Town Council has been had, and the citizens of Glastonbury have been had. He said he was surprised they withdrew the request for tax abatement. He supported it being torn down and asked for a determination on whether the Siting Council and UIL met their statutory requirements for notice. He said that he's not sure how to proceed, perhaps through the legislature, but he'd like them to pursue the matter. Mrs. Barry asked if the town has any say before the facility goes live. Mr. Johnson didn't think so but said he'd check. Mrs. Keefe echoed the comments of Mr. Cavanaugh and wanted information about the statutory ruling, who is involved and what is considered. Mr. Byar didn't understand why it took over 6 years for the Town to be made aware of the project and said that they are doing everything allowed by the state and the courts. Mr. Finn didn't want anyone to have expectations that they would be successful in having it removed. Vice Chairman Osgood echoed comments of his colleagues and asked the Town Manager to keep the Council informed.

**(b) Action to accept donation of land – Naubuc Avenue.**

Mr. Johnson reviewed his memo to the Council dated June 5, 2015. Mr. Byar thanked the Kowalsky family for their donation and asked if they evaluate environmental concerns. Mr. Johnson said that they perform an initial evaluation with the right to do more involved testing if they determine any reason to proceed.

**Motion By:** Mr. Cavanaugh **Seconded By:** Mr. Gullotta  
BE IT RESOLVED, that the Glastonbury Town Council hereby accepts the donation of the 1.37 acre Kowalsky parcel located off Naubuc Avenue, as described in a report by the Town Manager dated June 5, 2015 and as recommended by the Town Plan & Zoning Commission.  
**Result:** Motion passes unanimously {8-0-0}.

**5. New Business.**

**(a) Status report on Master Sewer Plan.**

Mr. Johnson reviewed his memo to the Council dated June 5, 2015, noting that this was done in light of the Plan of Conservation and Development. He continued saying that the goal is not to expand the sewer but look at areas in town that could need a sewer. He said that the WPCA would hold a public hearing to adopt the plan. Mr. Mike Bisi, Sanitation Superintendent, reviewed the plan map. Mr. Gullotta wanted to be sure the sewers weren't allowing building that the land would not otherwise support. Mr. Johnson answered saying that the areas are developed currently and may need a connection due to historical failure trends. Ms. Boisvert asked what this meant to homeowners in the area. Mr. Bisi said if there was a failure, they would have to hook up to the sewer. Mr. Gullotta said he was no fan of sewers seeing them as encouraging growth.

Vice Chairman Osgood asked if a developer has the right to connect to the sewer. Mr. Daniel Pennington, Town Engineer, said that it is highly unlikely as it is in conflict with the Plan of Conservation and Development which carries weight with WPCA, TPZ and IWA. Mr. Finn asked if consideration was given to the need to blast. Mr. Bisi said each area is reviewed case by case. Mr. Pennington said that issues of ledge are certainly one of the issues they are likely to contend with when reviewing areas of septic failures. Vice Chairman Osgood asked if this is all funded through the sewer funds to which Mr. Johnson replied saying yes. Vice Chairman Osgood thanked them for all their hard work on this and keeping the system operational.

**(b) Discussion concerning intersection realignment projects – Hebron Avenue and New London Turnpike, and Hebron Avenue and House Street.**

Mr. Johnson reviewed his memo to the Council dated June 5, 2015. Vice Chairman Osgood asked about the issues. Mr. Pennington reviewed the plans saying that Hebron goes to three lanes about Concord noting that delay is an issue at pm peak but also at lunch time. He noted that the state would not approve any action at House Street without addressing the New London Turnpike intersection which has to be done first, no matter what. He said that delay is a little greater with the signal as opposed to the roundabout. Vice Chairman Osgood asked if the stakes were outside the travel lanes and if easements were needed for the sidewalk. Mr. Pennington answered yes about the stakes and that they would need easements but taking would not be required.

Mrs. Keefe asked if the other lanes would stay as they are to which Mr. Pennington said yes. She asked if the realignment of the New London Turnpike intersection would help with the House Street Intersection to which Mr. Pennington replied saying yes. She asked about the crosswalks at House and Mr. Pennington said that this is preliminary and that there would be pedestrian crossings. Vice Chairman Osgood asked if they were comfortable with the cost estimates for the roundabout. Mr. Pennington said that they took costs from other projects and that he is as comfortable as he can be at this point in the process. Vice Chairman Osgood said that they are concerned about New London Turnpike because they are trying to address the House Street issues. Mr. Johnson said yes adding that the state likes the House Street roundabout. He noted that there is a 145 unit residential development planned for Hebron Avenue at the House Street intersection. Vice Chairman Osgood noted the temporary right turn only prohibition at House Street.

Mr. Byar said that it was \$650,000 less and along with all the testimony and pedestrian safety, he preferred the roundabout at House Street and the realignment at New London Turnpike. Ms. Boisvert favored option 1, the realignment, for pedestrian safety. Mr. Finn preferred the roundabout and noted the need to get information to the public. Mr. Gullotta preferred the roundabout saying they can handle a lot of traffic and keep pedestrians safe citing Manchester, Vermont. Mrs. Keefe said that thus far, she favors option 1 given the importance of pedestrian safety. Mrs. Barry said she liked the roundabout. Mr. Cavanaugh asked about the interim block on left turns and Mr. Pennington confirmed they would put raised islands to prevent left turns. Mr. Cavanaugh said that he also supported the roundabout. He also noted that Main Street is

backing up to Katz and Mr. Pennington said that the signals would be tweaked. Mr. Osgood indicated support for Option 1 and suggested they address on the next agenda when they will have full attendance.

**(c) Action to adopt Affirmative Action Goals for fiscal year 2015-2016.**

Mr. Johnson reviewed his memo to the Council dated June 6, 2015, saying that this is an annual review and they've done pretty well. He emphasized that they always select the best candidate. Mrs. Keefe asked if they track it. Mr. Johnson said that the Human Relations Committee does and the Human Resources Director sits in on those meetings.

**Motion By:** Mr. Cavanaugh **Seconded By:** Mr. Gullotta  
BE IT RESOLVED, that the Glastonbury Town Council hereby adopts 2015-2016 Affirmative Action Goals as described in a report by the Town Manager dated June 5, 2015, and as recommended by the Human Relations Commission.

**Result:** Motion passes unanimously {8-0-0}.

**6. Consent Calendar.**

**(a) Action on road acceptance – Shelly Lane from Station 8+75 to Station 17+42 within the Shelley Lane Subdivision, Phase I.**

**Motion By:** Mr. Cavanaugh **Seconded By:** Mr. Gullotta  
BE IT RESOLVED, that the Glastonbury Town Council hereby approves the following consent calendar:

**a. Action on Road Acceptance:**

BE IT RESOLVED, that the Glastonbury Town Council (Zoning Authority) approves the following as a Town road, as recommended by the Town Plan & Zoning Commission at its June 2, 2015 meeting:

- Shelly Lane from Station 8+75 to Station 17+42, within the Shelly Lane Subdivision, Phase 1.

**Result:** Motion passes unanimously {8-0-0}.

**7. Town Manager's Report.**

Mr. Johnson reviewed his report to the Council dated June 5, 2015, noting a proposal to charge for notary services due to the staff time it can often demand. He noted the grant for the three additional alternate fuel vehicles and the conclusion of the poet laureate process. Mr. Cavanaugh

confirmed that the notary would be free if the town required it. Vice Chairman Osgood suggested they ask the state to reconsider closing Route 3 since it will be years before they can access the sidewalk. Mr. Johnson said that they asked to use it for the riprap. Vice Chairman Osgood asked what could be done about plastic signs in the right-of-way. Mr. Johnson said that they'd find a way to get them down. Mr. Byar asked about fencing the state put up on Manchester Road over Route 2 and Mr. Johnsons said he'd look into it. Mrs. Keefe asked about the cell tower at 7 J's. Mr. Johnson said that the attorney representing the town met with the residents to discuss strategy. Mr. Finn said that they are muddling through intervenor status but that perhaps it is prudent that they put together a subcommittee to handle the siting council issues going forward. He also suggested the Town Council be represented at the table during negotiations with the riverfront park contractor. Vice Chairman Osgood said it would be taken under advisement.

**8. Committee Reports. *None***  
**(a) Chairman's Report.**

**9. Communications.**

- (a) Letter from the CT Siting Council re petition for a declaratory ruling on Certificate of Environmental Compatibility and Public Need – fuel cell project off Hebron Avenue (Chalker Hill).**
- (b) Letter from Robinson & Cole re application of Cellco Partnership d/b/a Verizon Wireless for installation of a “small cell” telecommunications facility at 278 Oakwood Drive.**
- (c) Letter from CT Siting Council re petition for a declaratory ruling on Certificate of Environmental Compatibility and Public Need – small cell telecommunications facility at 278 Oakwood Drive.**

**10. Minutes**

- (a) Minutes of May 26, 2015 Council Meeting.**

**Motion By:** Mr. Cavanaugh **Seconded By:** Mr. Gullotta  
BE IT RESOLVED, that the Glastonbury Town Council hereby approves the minutes as submitted for the regular meeting held May 26, 2015.

**Result:** Motion passes unanimously {8-0-0}

**11. Appointments and Resignations.**

- (a) Review of responses to the RFP for Emergency Medical Services, it having been certified by the Town Manager that the public interest in disclosure of such responses is outweighed by the public interest in confidentiality.**
- (b) Potential land acquisition.**
- (c) Pending Claims and Litigation-Riverfront Park Phase 2 Project**

*Present for the executive session were Town Council Members: Mr. Whit C. Osgood, Vice Chairman, Ms. Karen Boisvert, Mr. Lawrence J. Byar, Mr. Kurt Cavanaugh, Mr. William Finn, Mr. Thomas P. Gullotta and Mrs. Cara Keefe with Town Manager, Richard J. Johnson.*

### 13. Adjournment

**Respectfully submitted,**

**Whit Osgood**  
Vice-Chairman